

THOMAS P. RILEY, ESQ., Bar No.: 194706

(626) 799-9797

Case 5:08-cv-00324-RMW Document 10 Filed 08/05/2008

Page 1 of 4

THOMAS P. RILEY, LAW OFFICES OF

1114 FREMONT AVENUE

SOUTH PASADENA, CA 91030

tprlaw@att.net

Ref. No. or File No.

ATTORNEY FOR (Name):

PLAINTIFF

KING PIZZA 1/21/06

Insert name of court, judicial district or branch court, if any

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT

280 SOUTH FIRST STREET

SAN JOSE, CA 95113

PLAINTIFF/PETITIONER:

J & J SPORTS PRODUCTIONS, INC.

DEFENDANT/RESPONDENT:

DOAN

PROOF OF SERVICE

DATE

TIME

DEPT/DIV

CASE NUMBER:

C0800324RMWPVT

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the

SUMMONS IN A CIVIL CASE, COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDERS INFORMATION; WELCOME TO THE USDC FOR THE NORTHERN DIST. OF CALIF., CLERK'S OFFICE, SAN JOSE DIVISION INFORMATION PACKAGE

3. a. Party served: VAN MAN NGUYEN, INDIVIDUALLY AND D/B/A KING PIZZA

4. Address where the party was served: 2782 BATON ROUGE DRIVE, #A
SAN JOSE, CA 95133

5. I served the party

b. by substituted service. On: July 30, 2008 at 07:50 am I left the documents listed in item 2 with or in the presence of "JOHN DOE" (REFUSED NAME) - CO-OCCUPANT

PHYSICAL DESCRIPTION OF PERSON SERVED:

Age: 50 Weight: 140 Hair: BLACK Race: ASIAN

Sex: M Height: 5'7" Eyes: BROWN

Marks:

(2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

(5) I attach a **declaration of diligence** stating actions taken first to attempt personal service. under the following Code of Civil Procedure section:

SERVICE MADE PURSUANT TO FRCP 4(e) (2)

7. Person who served papers

a. M. KANDEFER

b. ABSOLUTE SERVICE OF LOS ANGELES

1301 WEST SECOND STREET, SUITE 204

LOS ANGELES, CA 90026

c. (213) 481-7334

d. The fee for service was: \$95.00

e. I am: (3) registered California process server.

(i) independent contractor

(ii) Registration No.: 1156

(iii) County: SANTA CLARA

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 5, 2008

M. Kandefer
M. KANDEFER

ATTORNEY OR PARTY WITH ADDRESS: THOMAS P. RILEY, ESQ., Bar No.: 194706 THOMAS P. RILEY, LAW OFFICES OF 1114 FREMONT AVENUE SOUTH PASADENA, CA 91030		TELEPHONE NO.: (626) 799-9797 E-MAIL: tprlaw@att.net	FOR COURT USE ONLY Page 2 of 4
ATTORNEY FOR (Name): PLAINTIFF		Ref. No. or File No.: KING PIZZA 1/21/06	
Insert name of court, judicial district or branch court, if any: UNITED STATES DISTRICT COURT NORTHERN DISTRICT 280 SOUTH FIRST STREET SAN JOSE, CA 95113			
PLAINTIFF J & J SPORTS PRODUCTIONS, INC.			
DEFENDANT DOAN			
DECLARATION RE: DILIGENCE	DATE	TIME	DEPT/DIV
		CASE NUMBER: C0800324RMWPVT	

I received the within process on May 16, 2008 and that after due and diligent effort I have been unable to personally serve said party. The following itemization of the dates and times of attempts details the efforts made to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

Party Served: **VAN MAN NGUYEN, INDIVIDUALLY AND D/B/A KING PIZZA**

Residence: **Residence address was not known at the time of service.**

Business: **2782 BATON ROUGE DRIVE, SUITE A, SAN JOSE, CA 95133**

As enumerated below:

May 22, 2008 01:50 pm
NO ANSWER (RESIDENCE).

May 25, 2008 10:20 am
NO ANSWER (RESIDENCE).

May 26, 2008 05:55 pm
NO ANSWER (RESIDENCE), NO ACTIVITY.

May 28, 2008 09:15 pm
NO ANSWER (RESIDENCE), PREMISES DARK.

May 31, 2008 11:50 am
NO ANSWER (RESIDENCE), HEARD MOVEMENT FROM INSIDE OF RESIDENCE, BUT NO RESPONSE.

June 3, 2008 06:50 am
NO ANSWER (RESIDENCE).

June 6, 2008 12:35 pm
NO ANSWER (RESIDENCE), NO ACTIVITY.

June 8, 2008 06:10 pm
BAD ADDRESS (RESIDENCE): 2782 BATON ROUGE DRIVE, #A, SAN JOSE, CA 95133. PER ASIAN FAMILY, SUBJECT IS UNKNOWN.

(CONTINUED ON NEXT PAGE)

Person who served papers

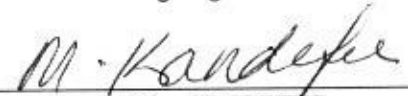
M. KANDEFER
ABSOLUTE SERVICE OF LOS ANGELES
1301 WEST SECOND STREET, SUITE 204
LOS ANGELES, CA 90026
(213) 481-7334

The fee for service was: \$95.00

I am: registered California process server.
 independent contractor
 Registration No.: 1156
 County: **SANTA CLARA**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **August 5, 2008**


M. KANDEFER

ATTORNEY OR PARTY WITH INTEREST IN CASE: THOMAS P. RILEY, ESQ., Bar No.: 194706

THOMAS P. RILEY, LAW OFFICES OF
1114 FREMONT AVENUE
SOUTH PASADENA, CA 91030

tprlaw@att.net

Ref. No. or File No.

KING PIZZA 1/21/06

ATTORNEY FOR (Name): PLAINTIFF

Insert name of court, judicial district or branch court, if any.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT
280 SOUTH FIRST STREET
SAN JOSE, CA 95113

PLAINTIFF:

J & J SPORTS PRODUCTIONS, INC.

DEFENDANT:

DOAN

DECLARATION
RE: DILIGENCE

DATE:

TIME:

DEPT/DIV:

CASE NUMBER:

C0800324RMWPVT

July 1, 2008
ADDRESS VERIFIED THROUGH SKIP TRACE, SENDING DOCUMENTS BACK OUT FOR SERVICE
AT GIVEN ADDRESS.

July 7, 2008 07:05 pm
NO ANSWER (RESIDENCE).

July 10, 2008 03:05 pm
NO ANSWER (RESIDENCE).

July 13, 2008 10:00 am
NO ANSWER (RESIDENCE).

July 17, 2008 08:55 pm
NO ANSWER (RESIDENCE).

July 20, 2008 01:20 pm
NO ANSWER (RESIDENCE).

July 23, 2008 10:30 pm
NO ANSWER (RESIDENCE).

July 27, 2008 12:30 pm
NO ANSWER (RESIDENCE).

July 30, 2008 07:00 am
BEGIN STAKEOUT.

July 30, 2008 07:49 am
END STAKEOUT.

July 30, 2008 07:50 pm
SUBSTITUTED SERVICE. RECIPIENT INSTRUCTED TO DELIVER DOCUMENTS TO DEFENDANT
AS NAMED.

Person who served papers

M. KANDEFER
ABSOLUTE SERVICE OF LOS ANGELES
1301 WEST SECOND STREET, SUITE 204
LOS ANGELES, CA 90026
(213) 481-7334

The fee for service was: \$95.00

I am: registered California process server.
Employee or independent contractor
Registration No.: 1156
County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 5, 2008


M. KANDEFER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address) THOMAS P. RILEY, ESQ., Bar No.: 194706 THOMAS P. RILEY, LAW OFFICES OF 1114 FREMONT AVENUE SOUTH PASADENA, CA 91030		TELEPHONE NO. (626) 799-9797	FOR COURT USE ONLY Page 4 of 4	
Ref. No. or File No. KING PIZZA 1/21/06		tprlaw@att.net		
ATTORNEY FOR (Name) PLAINTIFF				
Insert name of court, judicial district or branch court, if any UNITED STATES DISTRICT COURT NORTHERN DISTRICT 280 SOUTH FIRST STREET SAN JOSE, CA 95113				
PLAINTIFF/PETITIONER J & J SPORTS PRODUCTIONS, INC.				
DEFENDANT/RESPONDENT: DOAN				
PROOF OF SERVICE BY MAIL	DATE	TIME	DEPT/DIV	CASE NUMBER C0800324RMWPVT

I am a citizen of the United States and employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1301 West Second Street, Suite 204, Los Angeles, CA 90026.

On **July 31, 2008**, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

SUMMONS IN A CIVIL CASE, COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDERS INFORMATION; WELCOME TO THE USDC FOR THE NORTHERN DIST. OF CALIF., CLERK'S OFFICE, SAN JOSE DIVISION INFORMATION PACKAGE

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at LOS ANGELES, California, addressed as follows:

-
VAN MAN NGUYEN, INDIVIDUALLY AND D/B/A KING PIZZA
2782 BATON ROUGE DRIVE, #A
SAN JOSE, CA 95133

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at LOS ANGELES, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if post cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Person who served papers

M. MANCHESTER
ABSOLUTE SERVICE OF LOS ANGELES
1301 WEST SECOND STREET, SUITE 204
LOS ANGELES, CA 90026
(213) 481-7334

The fee for service was: \$95.00

I am: registered California process server.
 employee
 Registration No.: 5211
 County: LOS ANGELES

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **August 5, 2008**


M. MANCHESTER